



Durham County

200 E. Main Street
Durham, NC 27701
(919) 560-0025

Meeting Agenda Board of County Commissioners

Wendy Jacobs, Chair
James Hill, Vice Chair
Heidi Carter, Commissioner
Brenda A. Howerton, Commissioner
Ellen W. Reckhow, Commissioner

Monday, October 9, 2017

7:00 PM

Commissioners' Chambers

Regular Session

“Public Charge”

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

17-0471 Announcements

Agenda Text:

- 1) Durham Seeks Public Feedback on Dockless Bike Share. Durham residents are invited to share their thoughts about bike share and a new smart bike system through an online survey <http://bit.ly/2yHaUBn>.
- 2) Tomorrow is Election Day for the 2017 municipal primary and election! Contests on the ballot include the primary for Durham Mayor and City Council. Polls will be open tomorrow from 6:30 a.m. until 7:30 p.m. For more information, visit www.dconc.gov/elect <http://www.dconc.gov/elect>.

- 3) There will be a special showing of the documentary, Resilience, a screenplay directed by James Redford that delves into Adverse Childhood Experiences (ACEs) and a new movement to treat and prevent toxic childhood stress. The screening will be shown Tuesday, October 17th, 6:00-7:30 pm, in the Duke Regional Hospital Auditorium. Please RSVP to Ethel.Clay@duke.edu [<mailto:Ethel.Clay@duke.edu>](mailto:Ethel.Clay@duke.edu). There will be free popcorn and water.
- 4) The Matching Grants Program of the Durham Open Space and Trails Commission is accepting applications from nonprofit organizations in Durham City and County. The grants are available to assist selected nonprofit organizations with their efforts to preserve open space lands and promote new or improved recreational opportunities for citizens. **The application deadline is 5 p.m. on Wednesday, November 15, 2017.** Grant guidelines and applications are available online at www.dconc.gov/openspacegrants [<http://www.dconc.gov/openspacegrants>](http://www.dconc.gov/openspacegrants). For project specific questions and more about the grant process, contact Brendan Moore, matching grants administrator for Durham County, at (919) 560-7957 or email brmoore@dconc.gov [<mailto:brmoore@dconc.gov>](mailto:brmoore@dconc.gov).
- 5) The EcoChallenge is an opportunity for Durham residents to demonstrate our commitment to the environment by completing daily actions to reduce our collective impact. It runs from October 11- 25 so sign up today! Join the Durham Community team at <https://2017.ecochallenge.org/teams/durham-community> and earn points for getting your friends, family, and coworkers to sign up! We'll be competing with the teams from all over the country, so let's get started and show the world how committed we are here in Durham to making the world a better place.
- 6) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

4. Minutes (5 min)

[17-0472](#)

Minutes

Attachments:

[Regular Session - Sept 25, 2017](#)

[Worksession Sept 5 2017](#)

5. Ceremonial Items (30 min)

[17-0461](#)

Presentation - Duke Energy

Agenda Text:

The Board is requested to receive a presentation from Duke Energy regarding plans for its 3rd Residential Neighbor program project for one of the neighborhoods in east Durham where Duke Energy will install energy efficiency measures.

Alignment with Strategic Plan: Goal 4 - Environmental Stewardship

Resource Persons: Indira Everett, District Manager, Duke Energy; and Valencia Roner, Program Manager, Duke Energy

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and direct staff accordingly.

17-0226

Proclamation - Durham Domestic Workers Day of Recognition

Agenda Text:

The Board is requested to proclaim Durham Domestic Workers Day and recognize the many hardworking people across the state who provide care for children, the elderly, and people with disabilities and to formally acknowledge the many contributions of that workforce. As nannies, housecleaners, home health care workers, and direct care workers, we do the important work of providing exceptional care for loved ones in the home and at care facilities, and make it so that the people we care for may live with dignity and respect. Domestic workers create safe, clean, and loving environments in the home and make all other work possible. Now today more than ever, domestic workers deserve recognition for the role they play and their impact in the lives of so many. North Carolina boasts one of the highest concentrations of domestic workers in the country and Durham is home to thousands of these workers, and as such, we wish to value that work through passing this special proclamation.

Alignment With Strategic Plan: Goal 1 - Community and Family Prosperity and Enrichment

Resource Persons: Tara Parrish, Lurika Wynn, and Chanelle Croxton - National Domestic Workers Alliance

County Manager's Recommendation: The County Manager recommends that the Board proclaim Durham Domestic Workers Day and encourage our community to acknowledge same.

Attachments:

[Proclamation - Durham Domestic Workers Day of Recognition](#)

17-0458

Proclamation - Lead-Safe Certified Renovators Day

Agenda Text:

The Board is requested to proclaim October 24, 2017 as Lead-Safe Certified Renovators' Day during National Lead-Poisoning Prevention week. These contractors are to be commended for receiving certification to implement lead-safe work practices necessary to protect children in Durham.

Alignment with Strategic Plan: Goal 2- Health and Well-being for All

Resource Persons: Lenora Smith, Project Director Partnership Effort for the Advancement of Children's Health (PEACH)

County Manager's Recommendation: The County Manager recommends that the Board proclaim October 24, 2017 as Lead-Safe Certified Renovators' Day.

Attachments: [Proclamation - LEAD-SAFE CERTIFIED RENOVATORS' DAY](#)

17-0459 **Proclamation - Community Planning Month**

Agenda Text: The Board is requested to recognize the commitment and contributions made by both citizens and professional staff that participate in planning and plan implementation for the improvement of our community by proclaiming October 2017 as Community Planning Month.

Alignment with Strategic Plan: Goal 4, Environmental Stewardship and Community Prosperity, and Goal 2, Objective 2.2: Healthy Community.

Resource Persons: Patrick O. Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board proclaim October 2017 as Community Planning Month.

Attachments: [Memo BOCC 20171009 Community Planning Month Month Proclamation Memc](#)
[Proclamation - Community Planning Month](#)

17-0466 **Proclamation - National Long-Term Care Residents' Rights Month**

Agenda Text: The Board is requested by the Durham County Adult Care Home Community Advisory Committee and the Nursing Home Community Advisory Committee to recognize the rights of residents of long-term care homes during the month of October in honor of National Long-Term Care Residents' Rights Month.

Alignment With Strategic Plan: Goals 2 and 3 - Health and Well-being for all and Safe and Secure Community

Resource Persons: Jeffrey L. Austin, Chair, Durham County Adult Care Home Community Advisory Committee; and Lascel Webley, Chair, Nursing Home Community Advisory Committee

County Manager's Recommendation: The County Manager recommends that the Board proclaim October as National Long-Term Care Residents' Rights Month.

Attachments: [Proclamation - Nursing Home and Adult Care Home CAC](#)

6. Consent Agenda (15 min)

17-0387 **Approve Contract to Purchase Three (3) Fire Apparatus for Durham County Fire Rescue (DCFR) and Budget Ordinance Amendment No. 18BCC00011 Appropriating Durham County Fire and Rescue Tax District Fund Fund Balance and Appropriating Loan Proceeds to the General Fund to Support the Purchase**

Agenda Text: The Board is requested to approve the purchase of two (2) identical Fire Pumpers/Engines and one (1) Fire Tanker for Durham County Fire Rescue (DCFR) totaling \$1,422,703. These vehicles will replace outdated models that are over 25 years old that are currently in use as front line apparatus. The existing DCFR vehicles

that these will replace are experiencing an increased out of service rate and are costly to maintain. The National Fire Protection Association (NFPA 1901 Annex D) recommends that apparatus be placed out of service if they are more than 25 years old.

The proposed apparatus were designed by a team from DCFR and Durham Fire Department firefighters to ensure appropriate responses in both urban and rural environments. The Board is also requested to approve Budget Ordinance Amendment No. 18BCC000011 appropriating \$398,873 of Durham County Fire and Rescue Tax District Fund fund balance and appropriating loan proceeds of \$1,023,830 to the General Fund to support the purchase.

The two Engines and Tanker are quoted through the Houston-Galveston Area Council (HGAC), which is a Government-to-Government procurement service available nationwide. All contracts available to members of HGACBuy have been awarded by virtue of a public competitive procurement process compliant with state statutes. The City of Durham currently purchases their fire apparatus through HGAC. Once an order for new apparatus is submitted, it takes approximately eight months before it is delivered and can be put into service. The proposed contract has been reviewed and approved by the County's Legal Department.

DCFR Service District Fund Balance will be appropriated for the purchase of the Tanker in the amount of \$398,873 and transferred to the County's General Fund. The County will finance the remainder of the purchase of the two engines in the amount of \$1,023,830 with the debt to be paid over a 10-year period. DCFR Service Tax District funds will be the funding source for the servicing of the debt through annual budgeted transfers of the debt payment amount to the County's Debt Service Fund.

Alignment with Strategic Plan: This request aligns with Goal 3: Safe Community and Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: James E. Groves, Fire Marshal/Emergency Management Director and George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve and the purchase of the two (2) Fire Engines and one (1) Tanker in the amount of \$1,422,703 and approve Budget Ordinance Amendment No. 18BCC000011 appropriating \$398,873 of Durham County Fire and Rescue Tax District Fund fund balance and appropriating loan proceeds of \$1,023,830 to the General Fund to support the purchase. Further, it is recommended that the Board authorize the County Manager to execute the contract.

Attachments: [AAF Supplemental DCFR Vehicles 9-2017](#)
[AAF-11 Legal Form DCFR 3 Truck purchase - Debt Issuance and Fund Balance](#)
[County CIP update.pdf](#)
[NFPA 1901](#)
[General-ILC-Form-Rev-12-10-15a complete](#)
[HGAC Engine and Tanker](#)

17-0441 **Vision Internet Contract Amendment Requested Will Increase Current Contract from \$39,700 to \$78,730. Phase II of the Project Will Deliver a Fully Hosted Economic Development Themed Website to Durham County**

Agenda Text:

The Board is requested to authorize the County Manager to amend the contract for Vision Internet from 39,700 to 78,730 to deliver a fully hosted Economic Development themed website to Durham County as this will be phase II of the project

This is a request to continue work on the Economic Development website which has been contracted into 2 phases. Phase one is underway with the County Manager approval. Phase 2 is the completion of the project and requires board approval due to the additional amount of funds needed. The end result will be the deployment of a full website for the Economic Development division.

The County had a need for a full website that delivers all relevant economic development facts, guidance for businesses, and demographic information. The County also needed a way to showcase our current businesses, accomplishments, and future plans.

There should be no impact to the proposed action on the current or future year because the funding will come from current operating FY18 funding.

Alignment with Strategic Plan: Efficient and effective operations of business applications supporting citizens across our County departments aligns with Goal 5 (Accountable, Efficient and Visionary Government) of the Strategic Plan.

Resource Persons: Greg Marrow, Chief Information Officer

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute a contract with Vision Internet for \$78,730. This purchase will deliver a fully hosted Economic Development-themed website to the County.

Attachments: [AAF Econ development](#)
[VISION TECHNOLOGY SOLUTIONS - ECONOMIC DEVELOPMENT WEBSITE](#)

17-0448 **Capital Project Amendment No. 18CPA000005 - Appropriate \$403,216 Collection System Rehabilitation Fund fund balance and appropriate the funds to the Slater Road Pump Station Improvement Capital Project SE053 and Award of the Slater Road Pump Station**

Improvements (IFB 18-002) contract to Carolina Civil Works, Inc.**Agenda Text:**

The Board is requested to approve Capital Project Amendment No. 18CPA000005 appropriating \$403,216 of Collection System Rehabilitation Fund fund balance and appropriate the funds to the Slater Road Pump Station Improvement Capital Project SE053. The Board is also requested to award a construction contract to Carolina Civil Works, Inc. for construction of the Slater Road Pump Station Improvements in the amount of \$366,560 and to authorize the County Manager to execute the contract and to authorize the County Manager to execute any related contract amendments, not to exceed a total project budget of \$403,216.

Slater Road Pump Station Improvement (SE053)

Current Budget: \$0.00
Increase/Decrease: \$403,216.00
Revised Budget: \$403,216.00

The Slater Road Pump Station Improvements include the installation of two new pumps, valves and appurtenances in the existing underground dry-pit station, installation of new level instrumentation, an emergency bypass pump connection, and installation of new electric panels, automatic transfer switch, and conduits. A ten percent contingency is recommended for this project to cover unexpected expenses associated with the underground bypass work.

Durham County issued an Invitation for Bid (IFB 18-002) on August 2, 2017. IFB 18-002 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to eleven contractors. Three bids were received on August 31, 2017. The bid tabulation is attached.

In review of the MWBE compliance for IFB 18-002 Slater Road Pump Station Improvements, Carolina Civils Works, Inc. will be utilizing 15.07% MWBE certified Hispanic-American business to be used as subcontracting MWBE participation on this project. The MWBE Compliance Review form is provided as Attachment B.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure adequate sewer pump station capacity to continue to serve the Slater Road Pump Station Sub-basin.

Resource Persons: Jay Gibson PE, General Manager; Kyle Manning PE, Senior Project Manager; Kim Connally, Budget Analyst

County Manager’s Recommendation: The County Manager recommends the Board approve Capital Project Amendment No. 18CPA000005 appropriating \$403,216 of Collection System Rehabilitation Fund fund balance and appropriate the funds to the Slater Road Pump Station Improvement Capital Project SE053 and to authorize the County Manager to execute the contract and to authorize the County

Manager to execute any related contract amendments, not to exceed a total project budget of \$403,216.

Attachments: [CPA-05 Supplement Form SE053](#)
[Slater Road Bid Tab](#)
[MWBE Compliance Review Form-AAF for IFB 18-002 091417](#)
[Met Labs Report for Slater](#)
[CPA-05 Legal Form Slater Road Pump Station Improvement \(\\$403,216\)](#)

17-0449 **Budget Ordinance Amendment No. 18BCC000012 to Recognize \$1,046.50 in Donations to Support Project BUILD**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 18BCC000012 to recognize funds in the amount of \$1,046.50 in donations for Project BUILD.

Donations will be used to support program services and to meet the needs of youth that include purchasing equipment that will allow them to participate in sports and clothing for work.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This amendment aligns with Goal 2 - Health and Well-being for All and Goal 3 - Safe Community.

Resource Persons: Gayle B. Harris, MPH, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 18BCC000012 to recognize funds in the amount of \$1,046.50 in donations for Project BUILD.

Attachments: [AAF Supplemental Document - Noncontract-Proj Bld Donations revised.docx](#)
[AAF-12 Legal Form Public Health Donations to Support Project BUILD \(\\$1,046.\)](#)

17-0456 **Request for Matching Funds for the NCDOT Apprentice Program Grant**

Agenda Text: The Board is requested to approve matching funds in the amount of \$3,740 for Durham County ACCESS to submit a grant proposal for an Apprentice administered by the North Carolina Department of Public Transportation - Public Transportation Division (NCDOT-PTD). Confirmation of the local match is required as a part of the application. Durham County ACCESS will submit the grant application for one Apprentice by November 3, 2017.

Durham County ACCESS is seeking Board approval for the matching funds to

engage an Apprentice. NCDOT provides 90% of the cost-- \$37,498 and a 10% local match of \$3,740 is required. This amount is inclusive of salary, benefits and travel allowance. Durham County ACCESS is requesting the County Board approve a budget of \$3,740 for the local share.

If granted, this will be the second Apprentice Durham County has received. The Apprentice Program is a year-long staff position intended to encourage college graduates to serve as an “apprentice” and ultimately pursue a career in public transportation. The Apprentice will fully participate in daily work tasks associated with administrative, financial management, customer service, database and technology tasks, related to running a demand response transportation system. This includes participation in grant preparation and financial management, customer service, marketing and training activities. As part of the Apprenticeship, a special project that will encompass community outreach, marketing and transportation advocacy in the community will be developed and implemented.

A copy of the grant documentation and Apprentice Program are attached for your review.

Alignment with Strategic Plan: This project aligns with Goal 1: Community and Family Prosperity and Enrichment. Durham County is a partner in creating a job and enhancing the economic position of a recent college graduate. Through the hands on work experience, the position allows for an environment to enrich knowledge and provide substantive work experience geared toward launching a stable career in the field of public transportation.

Resource Persons: Linda Thomas, Transportation Program Manager, Durham County ACCESS

County Manager’s Recommendation: The County Manager recommends that the Board approve the request for the local match of \$3,740 for the Apprentice program grant.

Attachments: [FY 18-19 Apprenticeship Project Budget and Financing Form](#)

[FY18-19 Apprentice Project Proposal Form](#)

[1. Sponsorship Application - Apprentice 2018-2019](#)

17-0460

Approve FY2017-18 Contract with Greater Durham Chamber of Commerce

Agenda Text:

The Board is requested to authorize the County Manager to execute the attached contract with the Greater Durham Chamber of Commerce (Chamber) for services related to industrial recruitment and economic development. The proposed compensation for this contract is in the amount of \$265,000.00. A proposed budget is attached regarding how the Chamber proposes to utilize these funds in pursuit of the specified tasks and outcomes on behalf of the County. Funds were approved in the FY18 budget for this work and in the required amount.

As discussed with the BOCC during the recent budget process, staff will be working with Chamber staff through Fall 2017 and into Winter/Spring 2018 to develop more robust, outcome-based metrics for these services to better align this dimension of County Economic Development efforts with the recently-adopted DCo Strategic Plan goals and Managing For Results (MFR) processes. Additionally, we will be working towards a goal of a multi-year contract with the Chamber to provide a more streamlined approach towards these new goals. These elements will be further discussed with the BOCC as we move through the FY19 Budget process and deliberations.

Alignment with Strategic Plan:

The proposed contract with the Chamber supports elements of Goal 1, Goal 4, and Goal 5 by working to increase economic development and thus, community and family prosperity for the community.

Resource Persons: Jay Gibson, P.E., General Manager, Geoff Durham, CEO, Greater Durham Chamber of Commerce

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to execute the proposed contract with the Greater Durham Chamber of Commerce in the amount of \$265,000.00 for services related to industrial recruitment and economic development-related services.

Attachments:

[County Budget Financials Request 2017.18](#)

[AAF Backup Chamber 17 0460 Oct 2017](#)

[Chamber of Commerce Service Contract FY 2017-18](#)

[Att 1 Chamber of Commerce FY 2017-2018 - Scope of Services](#)

17-0462

Approve Contract with Downtown Durham, Inc. for Certain Downtown Economic Development and Business Support Services

Agenda Text:

The Board is requested to authorize the County Manager to execute the agreement in the amount of \$150,000.00 with DDI for services relating to downtown area business support and economic development. The agreement and attendant Scope of Services (attached) will continue the positive relationship between DDI and the County that has assisted in the ongoing redevelopment of downtown Durham and concurrent tax base growth. Funds for this agreement were provided in full as part of the adopted FY18 County budget.

Alignment with Strategic Plan: The proposed agreement supports Goal Areas 1, 4, and 5 by continuing economic growth for all businesses in downtown Durham, providing additional tax base growth to support community needs/goals and also providing additional job and entrepreneurial opportunities.

Resource Persons: Jay Gibson, P.E., General Manager; Nicole Thompson, CEO, DDI

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to execute the contract with DDI.

Attachments: [Downtown Durham Inc -Scope of Services FY 2017-18 Att 1](#)
[Downtown Durham Inc Service Contract FY 2017-18](#)
[AAF Backup_DDI_17_0462_Oct 2017](#)

17-0473 **Approval by an Ordinance - the Revised Board of Health Rule: Regulation of Smoking in Prescribed Public Areas**

Agenda Text: The Board is requested to approve by an ordinance per NC GS 130A-498(a) the revised Board of Health Rule: Regulation of Smoking in Prescribed Public Areas as discussed in the October 2, 2017 BOCC worksession.

Alignment with Strategic Plan: Goal 2 - Health and Well-being for All

Resource Persons: Gayle B. Harris, Health Director and Bryan Wardell, Senior County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve by an ordinance the revised Board of Health Rule: Regulation of Smoking in Prescribed Public Areas.

Attachments: [Durham County Regulation of Smoking in Prescribed Public Areas](#)

7. ITEMS PULLED FROM CONSENT AGENDA (20 min)

8. Adjournment